

Joyce W. Lindauer
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Joyce W. Lindauer Attorney, PLLC
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ATTORNEYS FOR VINCE BARNHILL

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:

**UNIVERSAL REHEARSAL
PARTNERS, LTD.,**

DEBTOR.

CASE NO. 22-31966-MVL

CHAPTER 11

**UNIVERSAL REHEARSAL
PARTNERS, LTD. and
JOHN KIRTLAND
Plaintiff,**

v.

ADVERSARY NO. 23-03011-mvl

**VINCE EDWARD BARNHILL
Defendant.**

DEFENDANT'S EXPERT WITNESS DISCLOSURES

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Vince Edward Barnhill, DEFENDANT in the above styled and referenced adversary proceeding, and files this his Expert Witness Disclosures as follows:

1. **Joyce W. Lindauer**, JOYCE W. LINDAUER ATTORNEY, PLLC; 1412 Main Street, Suite 500, Dallas, Texas 75202; (972) 503-4033; (972) 503-4034 (fax); joyce@joycelindauer.com. *ATTORNEY FOR DEFENDANT*

Expert on Attorney's Fees

Ms. Lindauer will testify as to reasonable and necessary legal fees incurred by Defendant in defense of this lawsuit and against Plaintiffs' claims, as well as the reasonableness and necessity of attorney's fees incurred by Plaintiffs' counsel.

The bases for these opinions include the work performed, the time required, the experience of attorney performing the work, the complexity of the issues presented, the results obtained, and other relevant factors. Ms. Lindauer's opinions also are based on her experience and familiarity with fees in cases of this type; her personal knowledge, gained by participation in the litigation of this matter, of the legal services performed by her firm, and the legal services performed by counsel for Plaintiffs; her review of the billing records and time records of her firm in this matter, and her review of her firm's file in this matter, including pleadings, briefs, written discovery, depositions, correspondence, and research.

Ms. Lindauer will rely both on personal experience and on records (which may be redacted as to certain privileged information) depicting the time spent by attorneys on behalf of Defendant, the services performed for or on behalf of Defendant, and the fees charged for such time and services. She may also rely on non-privileged information, such as pleadings and discovery in this case, and the documents produced by all parties in this litigation. Due to the unique nature of attorneys' fee expert testimony, the litigation records and time records of the firm are withheld as privileged except as to whatever limited extent may be necessary to prove up the reasonable and necessary fee for the services as Defendant's counsel.

Ms. Lindauer's curriculum vitae is attached hereto as **Exhibit "A,"** and is incorporated herein by reference as if set out in full.

2. Any and all experts designated by any other party in interest in this case. Defendant reserves the right to cross-examine and elicit the testimony of any individual who any party may call and/or properly and timely designate as an expert witness. Defendant hereby incorporates by reference any deposition testimony, reports, and affidavits of any of these expert witnesses.

I. RESERVATION OF RIGHTS

3. Defendant reserves the right to call to testify or question any and all experts or party representatives who have been or may be disclosed by or called by any other party to this lawsuit, should it become necessary to do so. Defendant cross-designates and reserve the right to cross-examine or elicit the testimony of any experts designated by Plaintiffs' counsel on any and all areas of inquiry by Plaintiffs' counsel. Defendant does not, by this designation, acknowledge the validity of any of these alleged expert opinions or their qualifications to render such opinions and reserve the right to challenge the qualifications or opinions of these witnesses by this designation.

4. Defendant reserves the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness at trial.

5. Defendant hereby incorporates by reference any deposition testimony and written reports. In view of the fact that discovery is active and ongoing, Defendant expressly reserves the right to have the above-designated experts supplement and/or amend their designation with the inclusion of any further written report as may be necessary, or as may be required by the Court. Furthermore, Defendant expressly reserves the right to have the above-described experts supplement and/or amend any report or opinion offered hereafter to the extent that additional information and/or evidence becomes available. Additionally, the need to designate additional experts may arise to impeach and/or rebut the testimony of any of Plaintiffs' expert witnesses, and Defendant herein reserves the right to designate such additional expert witnesses, should it become necessary to do so, and as such may be allowed by the Rules and/or the Court's Scheduling Order.

6. Defendant expressly reserves the right to supplement this designation of expert witnesses as may be allowed by the Rules and/or the Court's Scheduling Order.

DATED: February 28, 2023.

Respectfully submitted,

/s/ Joyce W. Lindauer

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ATTORNEYS FOR VINCENT BARNHILL

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 28, 2024, a true and correct copy of the foregoing document was served via email pursuant to the Court's ECF system upon the parties receiving electronic notice in this case.

/s/ Joyce W. Lindauer

Joyce W. Lindauer

EXHIBIT “A”

JOYCE W. LINDAUER
Attorney at Law and Mediator
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Practice Areas:	Bankruptcy; Collections; Civil Litigation.
Admitted:	November 2, 1984, Texas
Law School:	Southern Methodist University, J.D., 1984.
College:	1978, Texas Tech University, B.A., with high honors 1980, North Texas State, M.Ed. 2003, Southern Methodist University, advanced degree in Dispute Resolution 2010, Southern Methodist University, M.A. in Dispute Resolution
Member:	Dallas Bar Association; State Bar of Texas
Biography:	Justice of the Peace, Precinct 1, Place 1, Ellis County. Alpha Lambda Delta; Phi Kappa Phi; Phi Delta Phi. Staff Member, Journal of Air Law and Commerce, 1982-1983. Former Adjunct Bankruptcy Professor, Texas Wesleyan School of Law, Ft. Worth, Texas. Former Chapter 7 Trustee, Eastern District of Texas.
Bar Admissions:	
State Bar of Texas	11/2/1984
United States Court of Appeals, Fifth Circuit	9/12/1991
United States Court of Appeals, Tenth Circuit	2/9/2016
United States District Court, N.D. of Texas	2/22/1985
United States District Court, S.D. of Texas	5/10/1988
United States District Court, E.D. of Texas	9/9/1986
United States District Court, W.D. of Texas	7/23/1986
United States District Court, W.D. of Oklahoma	3/27/2014
United States District Court, District of Colorado	12/13/18
United States District Court, E.D. of Wisconsin	10/30/20